

# Exhibit A-10

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
WESTERN DIVISION

KIMBERLY and JOHN STAPLES,

Plaintiffs,

v.

Case No: 7:18-cv-00160-LSC

H. WALKER ENTERPRISES, LLC,  
RENAISSANCE MAN FOOD  
SERVICES, LLC, and SIMMONS

Defendants.

**DECLARATION OF DONALD L. MILLER JR. IN SUPPORT OF  
DEFENDANT SIMMONS PREPARED FOODS, INC.'S OPPOSITION  
TO PLAINTIFF JOHN STAPLES' MOTION FOR SUMMARY  
JUDGMENT AS TO LIABILITY**

1. My name is Donald (Chip) L. Miller Jr. I am over 21 years of age and am fully competent to make this declaration. I have personal knowledge of all facts recited herein and state that such facts are true and correct.

2. I am a Senior Vice President of Sales for Simmons Prepared Foods, Inc. ("Simmons"). I supervised John Staples ("Mr. Staples") during his employment with Simmons.

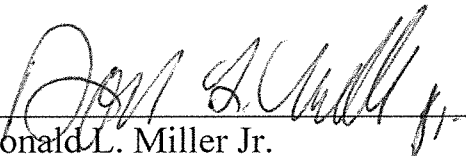
3. Mr. Staples was hired as an at-will employee, and he continued to be employed on an at-will basis throughout the duration of his employment with Simmons. I never told Mr. Staples that he could only be fired from Simmons for good cause.

4. I also did not inform Mr. Staples in January or February of 2009 that the relationship between Herschel Walker and Mike Rogers was not working out.

5. Finally, contrary to his assertion in the above-captioned lawsuit, I never instructed Mr. Staples to “learn to keep Herschel Walker away from Simmons’ customers.”

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 4<sup>th</sup>, 2019.

  
Donald L. Miller Jr.